

1 AN ACT concerning children's health care, amending named
2 Acts.

3 Be it enacted by the People of the State of Illinois,
4 represented in the General Assembly:

5 Section 5. The Children's Health Insurance Program Act
6 is amended by changing Sections 10, 20, and 35 and adding
7 Section 23 as follows:

8 (215 ILCS 106/10)

9 (Section scheduled to be repealed on July 1, 2002)

10 Sec. 10. Definitions. As used in this Act:

11 "Benchmarking" means health benefits coverage as defined
12 in Section 2103 of the Social Security Act.

13 "Child" means a person under the age of 19.

14 "Department" means the Department of Public Aid.

15 "Medical assistance" means health care benefits provided
16 under Article V of the Illinois Public Aid Code.

17 "Medical visit" means a hospital, dental, physician,
18 optical, or other health care visit where services are
19 provided pursuant to this Act.

20 "Program" means the Children's Health Insurance Program,
21 and related coverage for the adult caretakers of children
22 covered under the Program, which includes subsidizing the
23 cost of privately sponsored health insurance and purchasing
24 or providing health care benefits for eligible persons
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26 "Resident" means a person who meets the residency
27 requirements as defined in Section 5-3 of the Illinois Public
28 Aid Code.

29 (Source: P.A. 90-736, eff. 8-12-98.)

30 (215 ILCS 106/20)

1 (Section scheduled to be repealed on July 1, 2002)

2 Sec. 20. Eligibility.

3 (a) To be eligible for this Program, a person must be a
4 person who has a child eligible under this Act and who is
5 eligible under federal requirements for federal financial
6 participation or under a waiver of federal requirements
7 pursuant to an application made pursuant to subdivision
8 (a)(1) of Section 40 of this Act or who is a child who:

9 (1) is a child who is not eligible for medical
10 assistance;

11 (2) is a child whose annual household income, as
12 determined by the Department, is above 133% of the
13 federal poverty level and at or below 200% ~~185%~~ of the
14 federal poverty level;

15 (3) is a resident of the State of Illinois; and

16 (4) is a child who is either a United States
17 citizen or included in one of the following categories of
18 non-citizens:

19 (A) unmarried dependent children of either a
20 United States Veteran honorably discharged or a
21 person on active military duty;

22 (B) refugees under Section 207 of the
23 Immigration and Nationality Act;

24 (C) asylees under Section 208 of the
25 Immigration and Nationality Act;

26 (D) persons for whom deportation has been
27 withheld under Section 243(h) of the Immigration
28 and Nationality Act;

29 (E) persons granted conditional entry under
30 Section 203(a)(7) of the Immigration and Nationality
31 Act as in effect prior to April 1, 1980;

32 (F) persons lawfully admitted for permanent
33 residence under the Immigration and Nationality Act;
34 and

1 (G) parolees, for at least one year, under
2 Section 212(d)(5) of the Immigration and Nationality
3 Act.

4 Those children who are in the categories set forth in
5 subdivisions (4)(F) and (4)(G) of this subsection, who enter
6 the United States on or after August 22, 1996, shall not be
7 eligible for 5 years beginning on the date the child entered
8 the United States.

9 (b) A child who is determined to be eligible for
10 assistance shall remain eligible for 12 months, provided the
11 child maintains his or her residence in the State, has not
12 yet attained 19 years of age, and is not excluded pursuant to
13 subsection (c). Eligibility shall be re-determined by the
14 Department at least annually.

15 (c) A child shall not be eligible for coverage under
16 this Program if:

17 (1) the premium required pursuant to Section 30 of
18 this Act has not been paid. If the required premiums are
19 not paid the liability of the Program shall be limited to
20 benefits incurred under the Program for the time period
21 for which premiums had been paid. If the required
22 monthly premium is not paid, the child shall be
23 ineligible for re-enrollment for a minimum period of 3
24 months. Re-enrollment shall be completed prior to the
25 next covered medical visit and the first month's required
26 premium shall be paid in advance of the next covered
27 medical visit. The Department shall promulgate rules
28 regarding grace periods, notice requirements, and hearing
29 procedures pursuant to this subsection;

30 (2) the child is an inmate of a public institution
31 or a patient in an institution for mental diseases; or

32 (3) the child is a member of a family that is
33 eligible for health benefits covered under the State of
34 Illinois health benefits plan on the basis of a member's

1 employment with a public agency.

2 (Source: P.A. 90-736, eff. 8-12-98.)

3 (215 ILCS 106/23 new)

4 (Section scheduled to be repealed on July 1, 2002)

5 Sec. 23. Eligibility for adult caretakers of eligible
6 children. Subject to appropriation, the Department shall
7 include coverage for the adult caretakers of the children
8 eligible under this Act, to the extent federal financial
9 participation is available under federal law or waivers of
10 federal law. Adult coverage shall be defined in rules and
11 shall be modeled on the children's coverage and consistent
12 with the provisions governing the children's coverage in
13 subsection (c) of Section 20, and in Sections 25, 30, and 35.

14 (215 ILCS 106/35)

15 (Section scheduled to be repealed on July 1, 2002)

16 Sec. 35. Funding.

17 (a) This Program is not an entitlement and shall not be
18 construed to create an entitlement. Eligibility for the
19 Program is subject to appropriation of funds by the State and
20 federal governments. Subdivision (a)(2) of Section 25 shall
21 operate and be funded only if subdivision (a)(1) of Section
22 25 is operational and funded. The estimated net State share
23 of appropriated funds for subdivision (a)(2) of Section 25
24 shall be equal to the estimated net State share of
25 appropriated funds for subdivision (a)(1) of Section 25.

26 (b) Any requirement imposed under this Act and any
27 implementation of this Act by the Department shall cease in
28 the event (1) continued receipt of federal funds for
29 implementation of this Act requires an amendment to this Act,
30 or (2) federal funds, funds from private sources, or other
31 appropriated funds for implementation of the Act are not
32 otherwise available.

1 (c) Payments under this Act shall be made from funds
 2 available pursuant to appropriation ~~appropriated--from--the~~
 3 ~~General--Revenue--Fund~~ and other funds that are authorized to
 4 be used to reimburse or make medical payments for health care
 5 benefits under this Act or Title XXI of the Social Security
 6 Act.

7 (d) Benefits under this Act shall be available only as
 8 long as the intergovernmental agreements made pursuant to
 9 Section 12-4.7 and Article XV of the Illinois Public Aid Code
 10 and entered into between the Department and the Cook County
 11 Board of Commissioners continue to exist.

12 (Source: P.A. 90-736, eff. 8-12-98; 91-24, eff. 7-1-99.)

13 Section 10. The Illinois Public Aid Code is amended by
 14 changing 12-4.20 as follows:

15 (305 ILCS 5/12-4.20) (from Ch. 23, par. 12-4.20)

16 Sec. 12-4.20. Appointment of statewide advisory
 17 committees. Appoint, when and as it may deem necessary,
 18 statewide advisory committees to provide professional or
 19 technical consultation in respect to medical or dental or
 20 hospital care, general assistance, home economics, or other
 21 special aspects of public aid and related welfare functions.
 22 At a minimum, the Illinois Department shall appoint an
 23 advisory committee to evaluate the administration of the
 24 Children's Health Insurance Program Act, to make
 25 recommendations for the improvement of the program, and to
 26 report its findings and recommendations to the Governor and
 27 General Assembly by January 1, 2002 and each year thereafter.

28 The members of the committees shall receive no compensation
 29 for their services, other than expenses actually incurred in
 30 the performance of their official duties. The number of
 31 members of each advisory committee shall be determined by the
 32 Illinois Department. The committees shall consult with and

1 advise the Illinois Department in respect to problems and
2 policies incident to the administration of the particular
3 Article or Articles of this Code germane to their respective
4 fields of competence.

5 The Illinois Department shall include a balanced
6 representation of recipients, service providers,
7 representatives of community and welfare advocacy groups,
8 representatives of local governments dealing with public aid,
9 and representatives of the general public on all statewide
10 advisory committees appointed by it, except that Professional
11 Advisory Committees created under Section 5-5 of this Code to
12 provide technical and professional advice to the Department
13 shall consist entirely of persons practicing a particular
14 profession.

15 (Source: P.A. 86-1475.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.